

# Village of Richfield

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BOBBIE BESHARA, Mayor  
ROGER SWAN, Council President

SANDY TURK, Finance Director  
MELANIE A. BAKER, Service Director

## PLANNING AND ZONING COMMISSION MEETING

### MINUTES

Tuesday, April 26, 2016 – 7:00 p.m.

**CALL TO ORDER:** Dr. Boester called the meeting to order at 7:00 p.m.

**ROLL CALL:** Charles Boester, Dan Holahan, Bart Sauer, Ralph Waszak  
Roger Swan was absent.

**OTHERS PRESENT:** Mayor Bobbie Beshara and Planning and Zoning Director Brian Frantz

**AGENDA REQUESTS:** Mr. Frantz requested that the public hearing for Case 11-2016 be deferred until the May 10<sup>th</sup> meeting so it can receive Council approval first.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

1. Case No. 12-2016  
Jerome M. Ryba  
3868 Congress Parkway

The applicant is proposing to construct a 500 square foot covered patio on the back of the building. Mr. Frantz said the proposal meets the setback requirements and the architecture mirrors the existing building, so the administration supports the request. Mr. Ryba is the architect on the project and was present for the hearing. Mr. Waszak arrived at 7:05. Dr. Boester asked if the patio would be enclosed and Mr. Ryba explained that it would not be enclosed and would only be used in good weather. Mr. Sauer inquired about the height of the sidewalls and the number of exit points and Mr. Frantz said those issues would be regulated by Summit County Building Department.

**Mr. Holahan made a motion to approve Case 12-2016 as submitted and Mr. Waszak seconded his motion. All were in favor.**

2. Case No. 8-2016  
Richfield Village Council  
Single-Family Conservation Development (RCD)  
Chapter 1128

**Mr. Waszak made a motion to close the regular meeting and open a public hearing to hear public comments regarding the RCD/Chapter 1128 text amendment. His motion was seconded by Mr. Holahan and all members were in favor.**

The public hearing began at 7:10 pm.

Mr. Frantz explained that the proposed amendments to Chapter 1128 go hand in hand with the vacant land next to the Briarwood development. He gave the public a brief history of the site and explained the current situation the Commission and Village Council are facing.

Township resident Jim Koewler of 3578 Burrwood Drive stated the proposal is next to his neighborhood and will affect his sewer and property assessment. He urged the Commission to reject the proposal or take a different approach if this amendment was prompted by negotiations with the property owner. Mr. Koewler said the current Briarwood residents purchased their properties knowing the streams and ravines were nearby, as did the owner of the vacant land. He felt allowing the property owner to develop under a conservation area would give them density they otherwise would not be granted and in turn, generate a greater return on investment for a property they probably got for a lesser value because of the existing conditions. He was in favor of granting a variance to the property owner instead of creating a zoning district that will affect a greater amount of people. Mr. Waszak mentioned that Deer Creek is a great example of a well-executed subdivision with smaller lots and conservation easements throughout. Resident Kevin Alborg of 4760 West Streetsboro Road agreed with Mr. Koewler but did not feel the Commission was moving towards a consensus. He felt there is a middle ground where both the Village and developer could benefit. Mr. Alborg said the developer should not be rewarded by being permitted to cluster a large number of homes into a small area just because of the conservation district title.

**Mr. Waszak made a motion to close the public hearing and return to the regular meeting. Mr. Holahan seconded and all were in favor.**

The Commission returned to the regular meeting at 7:35 pm.

Mr. Holahan questioned the use of 'major roadway' and Mr. Frantz said the text could be amended to 'public road'. Mr. Sauer felt this portion of the text should be struck altogether. Mr. Holahan also requested to remove 'except in R-3' from section 1128.05 and Mr. Waszak agreed. Mr. Holahan was not in favor of the 7.5-foot side yard setback and Dr. Boester agreed. Mr. Frantz explained that it is very common for cluster developments to have smaller setbacks and said that building and fire codes find 7.5 feet acceptable for safety matters.

Mr. Sauer asked if the Briarwood conceptual plan fits the requirements being discussed and Mr. Frantz said the setbacks and zoning density seem to meet the code requirements. Mr. Frantz felt the Commission would benefit in having an architect provide a look and feel to the proposal and the members agreed. Mr. Frantz said he would make the revisions as discussed so the Commission can take action at the May 10<sup>th</sup> meeting.

3. Case No. 10-2016  
Richfield Village Council  
Office and Limited Industrial  
Chapters 1103, 1157, 1173, & 1177

Mr. Frantz explained to those present that the text change is something the Commission desired to amend so that conference and meeting centers were a conditionally permitted use in the OLI district. Council has approved the change and referred the amendment to Planning Commission for their approval. The Commission discussed changes and additions made to all four code sections being amended. Mr. Frantz noted the new language is written to discourage restaurant uses in the district.

**Mr. Holahan made a motion to close the regular meeting and open the public hearing. His motion was seconded by Mr. Sauer and all members were in favor.**

The public hearing began at 8:20 pm.

Mr. Kevin Alborg felt that allowing a conference center use would "dilute the function of a cash cow" which is what he believes the OLI district was intended for.

**Mr. Holahan made a motion to close the public hearing and reopen the regular meeting. His motion was seconded by Mr. Waszak and all members were in favor.**

The Commission returned to the regular meeting at 8:25 pm.

The Commission agreed to remove a portion of the definition which stated 'and meetings, seminars, etc., are short, a maximum of two weeks, and the clients are primarily adults. Artistic performances or exhibitions of works of art are not considered meetings or seminars.'. Mr. Frantz also agreed to add that the use can be day or night time under section 1173.

**Mr. Holahan made a motion to table Case No. 10-2016 and Mr. Waszak seconded. All were in favor.**

4. Case No. 11-2016  
Richfield Village Council  
R-1 and R-2 Districts  
Sections 1124.05 (c) (3) and 1126.06 (c) (2)

**Mr. Holahan made a motion to defer the public hearing for Case No. 11-2016 until the May 10<sup>th</sup> meeting. Mr. Waszak seconded his motion and all members were in favor.**

Mr. Sauer <sup>questioned</sup> ~~proposed~~ allowing an accessory structure for every additional two acres. Mr. Frantz said that option concerned him because it would permit large properties to have numerous accessory structures.

**Mr. Waszak made a motion to table Case No. 11-2016. Mr. Holahan seconded his motion and all members were in favor.**

**APPROVAL OF THE APRIL 12, 2016 MINUTES:**

**Mr. Waszak motioned to approve the April 12<sup>th</sup>, 2016 meeting minutes as corrected. Mr. Holahan seconded his motion and all members were in favor.**

**MAYORS REPORT:** Mayor Beshara announced that a composting seminar will be held tomorrow at 7pm and that the Health Department has provided water testing kits that are available for residents to pick up in the Service Department. The bid opening for 3921 Brecksville Road has been delayed and is now scheduled for tomorrow at 10 am.

**COUNCIL REPORT:** None.

**DIRECTOR OF PLANNING AND ZONING REPORT:** Mr. Frantz reported that the sale of land off Wheatley Road to Nexen Tire will be closing in the next 30-60 days. He thanked Mr. Tony Urankar, Assistant Deputy Director of ODOT, for his assistance in relocating a gas line for future development. Mr. Frantz also announced the future restaurant project in Kinross Lakes is moving forward and the restaurant will be called 'The Breakroom'.

**COMMENTS FROM THE PUBLIC:** None.

**UNFINISHED BUSINESS:** Mr. Sauer notified the Commission of a special meeting of the School Board to discuss the facilities tomorrow at 7:30am.

**Mr. Waszak made a motion for the Village to obtain the services of a professional to assist in the conceptual design of the proposed Briarwood subdivision. Mr. Holahan seconded his motion and all members were in favor.**

**ADJOURNMENT:**

A motion was made by Mr. Sauer to adjourn the meeting. His motion was seconded by Mr. Holahan and the meeting was adjourned at 9:15 p.m.

Respectfully submitted,



Kayla Nealon, Clerk  
Planning and Zoning Commission

Approved,



Dr. Charles Boester, Chairman  
Planning and Zoning Commission